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PATENT

Atty. Docket No: 1879 CON II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): David Racenet, et al.

SERIAL NO. : 10/670,032 **EXAMINER:** C. Nguyen

FILED : September 24, 2003 **GROUP ART UNIT :** 3743

FOR : TROCAR SEAL SYSTEM

CERTIFICATE OF MAILING

Date of Deposit: August 23, 2004

I hereby certify that the following:

- This Certificate of Mailing
- Response to Restriction Requirement dated July 26, 2004
- Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Vanessa M. Rosado

U.S. Surgical, a division of
TYCO HEATHCARE GROUP LP
150 Glover Avenue
Norwalk, CT 06856
(203) 845-1172



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**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed July 26, 2004, please amend the application as follows:

REMARKS

The present Amendment is submitted in response to the Office Action dated July 26, 2004. The Examiner required restriction to one of the following:

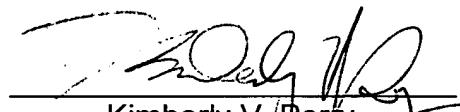
- I. Claims 5-17, drawn to a surgical seal assembly;
- II. Claims 18-21, drawn to a method for performing a surgical procedure.

Applicants provisionally elect to prosecute claims 5-17. Group I identified by the Examiner is classified in class 604, subclass 164.01 and Group II is classified in class 606, subclass 500, according to the Examiner. Search and examination of the entire application can be made without serious burden. Accordingly, the Examiner must examine the entire application on the merits under MPEP 803. Accordingly, the Restriction Requirement should be withdrawn.

Prompt and favorable consideration of this application is respectfully requested.

Respectfully submitted,

Dated: 8/23/04



Kimberly V. Perry
Registration No.: 43,612
Attorney for Applicants

U.S. Surgical, a division of
TYCO HEALTHCARE GROUP LP
150 Glover Avenue
Norwalk, CT 06856
(203) 845-4562